



IDEM Permit Guide: **Disposing of Industrial Waste**

www.IN.gov/idem/guides/permit/waste/disposindustwste.html

Who may need to dispose of industrial waste?

What is Industrial Waste?

Indiana Code ([IC 13-20-7.5](#) (Indiana Senate Enrolled Act 372) became effective July 1, 2000, and established the term "industrial waste" which may include both wastes previously listed as special wastes as well as some wastes previously excluded from the list of special waste. (See the [IDEM Office of Land Quality Draft Guidance on Industrial Waste Legislation](#) for more details.) Specifically, [industrial waste](#) is defined as solid waste from a non-residential source that is **not** [hazardous waste](#), [municipal waste](#), [construction or demolition waste](#), or [infectious waste](#). It is the responsibility of the generator to conduct any [waste determination](#) which is necessary at the point of generation to determine all the regulations that may apply to the management and disposal of each waste including [hazardous waste](#) regulations.

Some of Things that Must be Done to Comply with the Requirements on Disposing of Industrial Waste Include (but are not limited to):

Where can industrial Waste be Taken for Disposal?

Industrial Waste may be disposed of in a resource recovery facility (incinerator) or any municipal solid waste landfill, or portion of a municipal solid waste landfill, operated and constructed with a synthetic bottom liner as required beginning October 9, 1993, under RCRA's (the Resource Conservation and Recovery Act) Code of Federal Regulations 40 CFR 258 (commonly known as Subtitle D). Prior to disposal of the first load of waste that occurs after July 1, 2000, generators must (if they have not already done so) provide notice to the landfill that:

- a) states the waste is not [hazardous waste](#), and
- b) indicates any special handling concerns (fugitive dust, asbestos, PCBs, generates heat)

[IC 13-20-7.5-1\(b\)](#) also allows generators to dispose of industrial waste in non-subtitle D cells if approved by IDEM. IDEM may issue such approvals to landfills for waste to be disposed in non-subtitle D cells as modifications to the landfill's operating permit. Check with the landfill to determine if their operating permit allows them to accept your waste into

their non-subtitle D cells.

Industrial waste may continue to be disposed in a [restricted waste site](#) under this provision and in accordance with the restricted waste site criteria under 329 IAC 10-9.

Note: In the past, companies were issued special waste certifications. Most [special waste certifications](#) issued by IDEM expired July 1, 2000. Some are valid until July 1, 2001. Check with IDEM's Office of Land Quality, Industrial Waste Section to determine if your certification is still valid.

Small Quantity Exception

Persons who generate less than 220 pounds of industrial waste for disposal per site per month are excluded from the requirement to notify the landfill (that the waste is non-hazardous or that it may require special handling) and may dispose of their waste in any permitted subtitle D or non-subtitle D landfill. In determining if the exclusion applies to your facility, only those wastes going for disposal should be counted. Therefore, industrial waste that is recycled or reused is not counted to determine if you meet the quantity exception.

Transfer Stations

Generators may send waste through transfer stations prior to disposal. Transfer stations may accept industrial waste as long as the transfer station's operating permit contains a condition that allows them to accept your waste. Contact the transfer station to determine the information they need from you to accept your waste in accordance with their operating permit.

Processing (Bulking) Facilities

Generators may send waste to processing facilities to solidify or consolidate waste prior to disposal. IDEM is currently developing a rule to require processing facilities to have a permit to process waste. Check with the processing facility to determine what information they may need (now or in the future) in order to process your waste.

What to Expect

It is the responsibility of the generator to do a [waste determination](#) at the point of generation for any new or altered process waste, to determine whether the waste is hazardous or non-hazardous, and to determine other regulatory requirements that may apply. It is then the responsibility of the generator [to ensure that their waste is disposed of properly](#).

For Additional Information

To obtain additional information about disposing of industrial waste please contact [Bruce Kizer](#) at 317/308-3113, or [Rosemary Cantwell](#) at 317/308-3003 or see the IDEM Office of Land Quality [Draft Guidance on Industrial Waste Legislation](#).

Disclaimer

This permit guide is intended to provide background information which should be useful in planning for a particular project that may require an environmental permit. It does not substitute for consultation with the appropriate regulatory agency and/or the appropriate rules or statute.